

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

NICOLASA BERRIOS RIVERA

DEBTOR

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CASE NO. 09-01887-GAC13

CHAPTER 13

**MOTION AND NOTICE OF FILING OF POST-CONFIRMATION
MODIFICATION OF CHAPTER 13 PLAN**

TO THE HONORABLE COURT:

NOW COMES, **NICOLASA BERRIOS RIVERA**, through the undersigned attorney, and very respectfully states and prays as follows:

1. Debtor is hereby submitting a Post-confirmation Modification of Chapter 13 Plan, dated July 17, 2009, herewith and attached to this motion.

NOTICE TO CREDITORS AND PARTIES IN INTEREST

NOTICE IS HEREBY GIVEN, that debtor proposed post-confirmation Plan is hereby circulated to all creditors and parties in interest. You are hereby notified that you have twenty (20) days to reject the proposed modification of this Plan and request a hearing.

I **CERTIFY** that on this same date a copy of this notice was sent by the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee, Alejandro Oliveras Rivera, Esq.; and also certify that I have mailed by United States Postal Service copy of this motion to the following non CM/ECF participants and debtor, Nicolasa Berrios Rivera; and to all creditors and parties in interest in the present case.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 17th day of July, 2009.

/s/ Roberto Figueroa Carrasquillo
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**United States Bankruptcy Court
District of Puerto Rico**

IN RE:

Case No. **09-01887-13**

BERRIOS RIVERA, NICOLASA

Debtor(s)

Chapter **13**

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: **7/17/2009**

☐ AMENDED PLAN DATED: _____

☐ PRE ☒ POST-CONFIRMATION

Filed by: ☐ Debtor ☐ Trustee ☐ Other

I. PAYMENT PLAN SCHEDULE

\$ **150.00** x **60** = \$ **9,000.00**
\$ _____ x _____ = \$ _____
\$ _____ x _____ = \$ _____
\$ _____ x _____ = \$ _____
\$ _____ x _____ = \$ _____

TOTAL: \$ **9,000.00**

Additional Payments:

\$ **38,000.00** to be paid as a LUMP SUM
within **18 months** with proceeds to come from:

☒ Sale of Property identified as follows:
**located at Urb. Marioga E-9 San Onofre St. in
Caguas, PR.**

☐ Other: _____

Periodic Payments to be made other than, and in
addition to the above:

\$ _____ x _____ = \$ _____

PROPOSED BASE: \$ **47,000.00**

III. ATTORNEY'S FEES
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee
Disclosure Statement: \$ **2,454.00**

Signed: **/s/ NICOLASA BERRIOS RIVERA**
Debtor

Joint Debtor

II. DISBURSEMENT SCHEDULE

A. ADEQUATE PROTECTION PAYMENTS OR \$ _____

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☒ Trustee pays secured ARREARS:

Cr. **BANCO POPULAR D** Cr. **BANCO POPULAR D** Cr. _____

71010013057321 # **POST-PETITION** # _____

\$ **12,491.56** \$ **2,619.29** \$ _____

2. ☒ Trustee pays IN FULL Secured Claims:

Cr. **MUEBLERIA BERRIC** Cr. _____ Cr. _____

2304639707 # _____ # _____

\$ **2,547.00** \$ _____ \$ _____

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. _____ Cr. _____ Cr. _____

_____ # _____ # _____

\$ _____ \$ _____ \$ _____

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:

5. ☐ Other: _____

6. ☒ Debtor otherwise maintains regular payments directly to:

BANCO POPULAR D

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.
11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other: _____

☐ Paid 100% / ☐ Other: _____

Cr. _____ Cr. _____ Cr. _____

_____ # _____ # _____

\$ _____ \$ _____ \$ _____

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)

Debtor(s) to provide ADEQUATE PROTECTION PAYMENTS to Muebleria Berrios thru the Trustee in the sum \$30.00 per month for the next eight months or until confirmation.

*Or as otherwise specified on proof of claim.

Late filed claims filed by creditors will receive no distribution.

"Surrenders collateral": Shares/savings in any

Cooperativa/Association/Bank.

Debtor reserves the right to object claims after plan confirmation.

Attorney for Debtor **R. Figueroa Carrasquillo Law Office**

Phone: **(787) 744-7699**

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